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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/436,440	11/09/1999	ANDREW J. SANDERSON	PM244890	6650

7590

04/09/2003

Joseph A. Walkowski
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EXAMINER

SERGEANT, RABON A

ART UNIT

PAPER NUMBER

1711

28

DATE MAILED: 04/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/436,440	11/09/1999	Sanderson	PM244890

EXAMINER	
Sergent	
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1711	28

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Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

This communication constitutes a response by the examiner to the three issues set forth within the Order Returning Undocketed Appeal, mailed March 26, 2003, paper number 25.

With respect to the issue concerning the missing Information Disclosure Statement of November 11, 1999, a conversation with appellants' representative on April 3, 2003 has confirmed that the entry on the file wrapper indicating that an Information Disclosure Statement was filed on November 9, 1999 is incorrect. The only Information Disclosure Statements filed within the application are those dated February 4, 2000 and August 23, 2000. These Information Disclosure Statements were considered by the examiner during prosecution of the application.

With respect to the issue concerning the "IDS Letter Citing Application(s)", filed February 3, 2000, paper number 3, the cited application was considered during prosecution of the application. This statement is supported by the fact that an obviousness-type double patenting rejection has been applied to the instant claims in view of 09/436,360. An initialed copy of the letter has been attached to this communication.

Amdd. D

With respect to the issue concerning non-entry of the amendment of February 11, 2002, the amendment has been physically entered.

The application is being forwarded to the Board of Patent Appeals for decision on the pending appeal.

Any inquiry concerning this communication should be directed to R. Sergent at telephone number (703) 308-2982.

R. Sergent

April 4, 2003

PTOL-90 (Rev. 6/84)

Rabon Sergent
RABON SERGENT
PRIMARY EXAMINER